

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Kenneth H. Hart

v.

Civil No. 10-cv-428-JL

NH State Prison

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendations of Magistrate Judge Landya B. McCafferty dated October 7 and November 15, 2010.

The court further declines to issue a certificate of appealability. The petitioner has not shown that reasonable jurists could debate whether the petition should have been resolved in a different manner, that the issues presented were adequate to deserve encouragement to proceed further, or otherwise made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 483-84 (2000).

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: January 3, 2011

cc: Kenneth H. Hart, pro se